

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.20554**

NETWORK COMMUNICATIONS INTERNATIONAL CORP. *

(“NCIC”)

WC Docket No. 12-375

In Re: Rates for Interstate Inmate Calling Services

REPLY COMMENTS ON NOTICE OF PROPOSED RULEMAKING

NOW COMES Network Communications International Corp. (hereinafter “NCIC”) who files these Reply Comments in response to the Commission Notice of Proposed Rulemaking – Rates for Interstate Inmate Calling Services (hereinafter “NPRM”) – put forward by the Federal Communication Commission (hereinafter the “FCC”) in this matter.

NCIC comes before the Commission beseeching that additional analysis is considered before implementing the proposed \$.07 per minute interstate rate cap to all facilities, both jails and prisons alike. As demonstrated in previous filings, NCIC primarily provides inmate calling services (hereinafter “ICS”) to jails, short-term holding facilities and short-term immigration detainment centers, not prisons, in which the majority of data analysis appeared to stem from in previous cost studies. NCIC agrees and is in full support of Pay Tel’s recommendation of a tiered rate approach distinguishing between jails and prisons.

NCIC also comes before the Commission specifically requesting extraordinary consideration in the potential detriment of safety, security and quality that will indisputably be compromised with adopting the proposed benchmark rate of \$.07 per minute. Response after response from less dominant ICS providers, including NCIC, demonstrate actual, documented ICS cost components directly related to managing and providing high security platforms in jails vs. prisons.

NCIC fully supports the regulation of rates however disagrees with the consideration of eliminating facility commissions without the consideration of cost recovery mechanisms available to the facility to help maintain and recoup the costs associated with providing inmate phone service to inmates. As previously demonstrated in prior comments there are several pertinent costs that are funded by commissions received from ICS providers. A few of the more notable expenses are:

- Management and responding to PREA incidents and CrimeTip reports
- Managing and searching call recordings
- Transporting inmates and guarding while using inmate phones and visitation phones
- Providing guards to supervise during phone installations and regular maintenance
- Litigation from inmates for civil rights violations relating to limited phone privileges, phone usage time or suspension of phone privileges as punishment
- Providing testimony in court regarding crimes committed using the phone system, such as threats, intimidation or continued criminal activity
- Handling of subpoenas for call detail and recordings for court use
- Purchase of cell phone detecting equipment as well as staff time that is involved in such

NCIC urges the Commission to fully consider all the risks of a benchmark rate in relation to jails vs. prisons before coming to a decision in this Order.

Respectfully submitted,

/s/William L. Pope

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